

ORDINANCE NO. 95-17

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, PROHIBITING THE DISRUPTION OF COMMERCIAL FILM OR AUDIO-VISUAL PRODUCTIONS; ESTABLISHING PENALTIES; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, economic development is a primary goal of Palm Beach County; and

WHEREAS, the motion picture and television industries have provided a valuable economic impact to Palm Beach County through the creation of jobs, the expenditure of capital, and the provision to Palm Beach County of valuable nationwide exposure; and

WHEREAS, the nature of the motion picture and television industries is such that work must be accomplished in open and public locations, and work crews require protection from trespassers, intruders, or disruptionists; and

WHEREAS, it is in the public interest to provide for the orderly administration of motion picture and television production; and

WHEREAS, existing breach of the peace laws or other laws and ordinances may not be applied or interpreted broadly enough to provide the protection necessary to motion picture and television production crews, nor give sufficient warning to potential law or ordinance violators; and

WHEREAS, Palm Beach County finds it to be in the public interest to codify prohibitions that will afford protection to motion picture and television production crews that are lawfully exercising permits to produce film on a public location.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

SECTION 1. Disruption of Commercial Video or Audio Productions.

A. The foregoing recitals are hereby affirmed and ratified.

B. No person shall intentionally engage in conduct which disrupts and infringes upon the rights of motion picture and television crews to produce a commercial film or television taping,



1 or audio or visual recording of any kind, on a public location that  
2 has been permitted for such production.

3 C. Conduct that disrupts a production under Section A.  
4 includes the following:

5 (1) Creating or causing audible interference  
6 to the recording of sound that goes beyond  
7 constitutionally protected expression;

8 (2) Interfering with the ability of a  
9 production to achieve consistent light levels  
10 by shining or reflecting light onto a set or  
11 at a camera or by utilizing some other  
12 artificial means to adversely affect lighting;

13 (3) Interfering with the ingress or egress of  
14 production equipment or personnel;

15 (4) The placement of any obstacles at any  
16 location where production is taking place.

17 **SECTION 2. No Prohibition of Protected Conduct**

18 The provisions of this Ordinance are not intended to apply to  
19 any conduct protected by federal or state law, including the right  
20 to peacefully and lawfully assemble and protest.

21 **SECTION 3. Penalty for Violation**

22 Any person who violates this Ordinance shall be punished by a  
23 fine not to exceed \$500 or by imprisonment in the county jail not  
24 to exceed 60 days or by both such fine and imprisonment pursuant to  
25 Section 125.69, Florida Statutes.

26 **SECTION 4. Applicability**

27 This ordinance shall be applicable in both the unincorporated  
28 and incorporated areas of Palm Beach County.

29 **SECTION 5. Inclusion in the Code of Laws and Ordinances**

30 The provisions of this Ordinance shall become and be made a  
31 part of the Code of Laws and Ordinances of Palm Beach County,  
32 Florida. The sections of this Ordinance may be renumbered or  
33 relettered to accomplish such, and the word "ordinance" may be  
34 changed to "section", "article", or any other appropriate word.



1           **SECTION 6. Severability**

2           If any section, paragraph, sentence, clause, phrase, or word  
3 of this Ordinance is for any reason held by a Court to be  
4 unconstitutional, inoperative or void, such holding shall not  
5 affect the remainder of this Ordinance.

6           **SECTION 7. Repeal of Laws in Conflict**

7           All local ordinances in conflict with any provision of this  
8 Ordinance are hereby repealed to the extent of such conflict.

9           **SECTION 8. Effective Date**

10          The provisions of this Ordinance shall become effective upon  
11 receipt of acknowledgement from the Secretary of State.

12          **APPROVED AND ADOPTED** by the Board of County Commissioners of  
13 Palm Beach County, on the       16th       day of       May       , 1995.

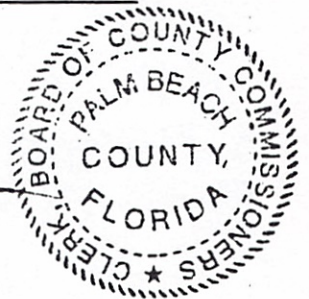
14                               PALM BEACH COUNTY, FLORIDA,  
15                               BY ITS BOARD OF COUNTY COMMISSIONERS

16                               By: [Signature]  
17                               Chairman

18                               DOROTHY H. WILKEN, CLERK  
19                               Board of County Commissioners  
20                               By: [Signature]  
21                               DEPUTY CLERK

18          APPROVED AS TO FORM AND  
19          LEGAL SUFFICIENCY

20          By: [Signature]  
21          COUNTY ATTORNEY



22          Acknowledgement by the Department of State of the State of  
23 Florida, on this, the   26th   day of   May   , 1995.

24          **EFFECTIVE DATE:** Acknowledgement from the Department of State  
25 received on the   1st   day of   June   , 1995, at  
26       12:37       P.M. and filed in the Office of the Clerk of  
27 the Board of County Commissioners of Palm Beach County, Florida.

28                               STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, DOROTHY H. WILKEN, ex-officio Clerk of the  
Board of County Commissioners certify this to be a  
true and correct copy of the original filed in my office  
on 5/16/95  
DATED at West Palm Beach, FL on 4/5/95  
DOROTHY H. WILKEN, Clerk  
By: [Signature] D.C.